

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BRIAN SMITH,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 9:18-CV-00166-TH

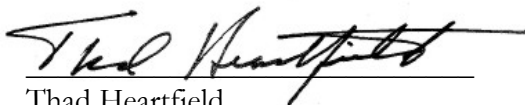
ORDER

Pending before the Court is Plaintiff's *Petition to Obtain Approval of a Fee for Representing a Claimant Under the Social Security Act*. (Doc. No. 28.) Neither party filed objections to the magistrate judge's report recommending that the request be granted. (Doc. No 30.) It is therefore

ORDERED that the Report and Recommendation of the magistrate judge is **ADOPTED** and Plaintiff's motion is **GRANTED**. It is further

ORDERED that the Defendant Commissioner of Social Security shall pay the Petitioner, as attorney fee under 42 U.S.C. Section 406(b), the amount of \$18,592.75 from the Plaintiff's past-due benefits. Upon receipt of said amount, the Petitioner shall refund to the Plaintiff \$4,746.83, previously awarded under the Equal Access to Justice Act (28 U.S.C. Section 2412(d)).

SIGNED this the 27 day of April, 2022.



Thad Heartfield
United States District Judge